



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	HEIL et al.	Examiner:	Unassigned
Serial No.:	10/728,072	Group Art Unit:	3739
Filed:	December 4, 2003	Docket No.:	GUID.626PA
Title:	SUBCUTANEOUS ELECTRODE AND LEAD WITH PHORESIS BASED PHARMACOLOGICAL AGENT DELIVERY		

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence and the papers, as described hereinabove, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to:, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on March 31, 2004.

By: Kelly S. Waltigney

Kelly S. Waltigney

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. §1.97(b))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted either within three months of the filing date or before the first Office Action of the above-identified application. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. §1.98(a)(2), and the 05 August 2003 Official Gazette Notice, only a copy of each foreign document or non-U.S. patent/application listed on the enclosed Form 1449 is provided.

Please note that any notations or markings on the attached documents do not reflect particular relevance, or lack thereof, to the present application, nor were they necessarily made by anyone affiliated with the prosecution of the present application.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

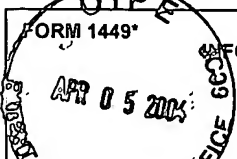
Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Respectfully submitted,

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Dated: 3/31, 2004

By: Mark A. Hollingsworth
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Reg. No. 38,491

	FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)		Docket Number: GUID.626PA	Application Number: 10/728,072
			Applicant: HEIL et al.	
			Filing Date: 12/04/03	Group Art Unit: 3739

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
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	6,615,083	09/02/03	Kupper			
	6,607,509	08/19/03	Bobroff et al.			
	6,564,106	05/13/03	Guck et al.			
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EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

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	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
	WO 92/20402	26 Nov. 1992	WO			YES
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
		Renee Hartz et al., <i>New Approach to Defibrillator Insertion</i> , J. Thoracic Cardiovascular Surgery, Vol. 97, pp. 920-922 (1989).				
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		John C. Schuder et al., <i>Experimental Ventricular Defibrillation with an Automatic and Completely Implanted System</i> , Trans. Am. Soc. Artif. Int. Organs, Vol. 16, pp. 207-212 (1970).				
		Karel Smits & Marek Malik, <i>Defibrillation Threshold (DFT) Model of a Fully Subcutaneous ICD System</i> , Europace Supplements, Vol. 2, June 2001 at column 778, page B83.				
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		Charles T. Leng et al., <i>Lead Configuration for Defibrillator Implantation in a Patient with Congenital Heart Disease and a Mechanical Prosthetic Tricuspid Valve</i> , PACE, Vol. 24, No. 8, pp. 1291-1292 (Aug. 2001).				
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		Rainer Gradaus M.D. et al., <i>Nonthoracotomy Implantable Cardioverter Defibrillator Placement in Children: Use of a Subcutaneous Array Leads and Abdominally Placed Implantable Cardioverter Defibrillators in Children</i> , J. of Cardiovascular Electrophysiology, Vol. 12, No. 3, pp. 356-360 (March 2001)				

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